

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: DT
Deputy

Case No: EP:23-CR-01472-DCG

INDICTMENT

Count 1: 18 U.S.C. §§ 1343 & 1346 –

Wire Fraud Deprivation of Honest Services of a Public Official;

Count 2: 18 U.S.C. § 201(b)(2)-Bribery of a Public Official

Count 3: 8 USC § 1324- Bringing in Certain Aliens (Alien Smuggling)

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COUNT ONE

(18 U.S.C. §§ 1343 & 1346)

WIRE FRAUD AND DEPRIVATION OF RIGHT TO HONEST SERVICES

did knowingly devise and intend to devise a scheme and artifice to defraud and to deprive the United States government and the citizens thereof of their right to the honest services of **FERNANDO CASTILLO**, a public official by virtue of his employment as a federal law enforcement officer, that is, as a special agent with the United States Border Patrol, United States Customs and Border Protection, United States Department of Homeland Security, by means of material false and fraudulent pretenses, representations, and promises, both by affirmative acts and by deceitful concealment of material facts, to-wit: the defendant solicited and attempted to secure bribes from Individual One, a citizen of El Salvador and Mexico, in exchange for the defendant

performing a favorable official action on behalf of Individual One in his capacity as a federal law enforcement officer, including securing “papeles” in exchange for \$5,000; that is: the defendant agreed to provide Individual One with immigration papers which papers he claimed would be removed from the system after 10-12 days and would no longer appear in any system, after which Individual One would be free to remain in the United States, and for the purpose of executing and attempting to execute said scheme and artifice to defraud, the defendant, **FERNANDO CASTILLO**, transmitted and caused to be transmitted, by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures and sounds in the form of text messages and cellular telephone calls, all in violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT TWO
(18 U.S.C. § 201(b)(2))
BRIBERY OF A PUBLIC OFFICIAL

Beginning on or about June 21, 2023, and continuing through and including on or about June 28, 2023, in the Western District of Texas, the Republic of Mexico and elsewhere, Defendant,

FERNANDO CASTILLO (1),

a public official by virtue of his employment as a federal law enforcement officer, specifically, as a Special Agent with the United States Border Patrol, United States Customs and Border Protection, United States Department of Homeland Security, did directly and indirectly corruptly demand, seek and agree to receive and accept a thing of value, \$5,000, in return for being influenced in his performance of an official act, that is, for providing an Individual with immigration paperwork that the defendant claimed would permit the Individual to remain in the United States, and in the performance of an official act as a Border Patrol agent, did act in violation of his official duty, by using a United States government computer to generate a fictitious

immigration document, a Notice to Appear, with the Individual's name and telephone number, which act made an opportunity for the commission of a fraud on the United States, in violation of Title 18, United States Code, Section 201(b)(2).

COUNT THREE
(8 U.S.C. §§ 1324(a)(2)(B)(ii))
(BRINGING IN CERTAIN ALIENS (ALIEN SMUGGLING))

Beginning on or about June 21, 2023, and continuing through and including on or about June 28, 2023, in the Western District of Texas, the Republic of Mexico and elsewhere, Defendant,

FERNANDO CASTILLO (1),

knowing and in reckless disregard of the fact that a certain alien had not received prior official authorization to come to, enter, and reside in the United States, did bring to and attempt to bring to the United States such alien, for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(2)(B)(ii).

A TRUE BILL.

FOREPERSON OF THE GRAND JURY

JAIME ESPARZA
UNITED STATES ATTORNEY



ASSISTANT U.S. ATTORNEY